



PATENT
Attorney Docket No. 62785.000004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No. 7580
))
Richard William Falla LE PAGE et al.) Group Art Unit: 1645
))
Application Number: 09/769,744) Examiner: S. DEVI
))
Filed: January 26, 2001))
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For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE

**Response to Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
and Statement under 37 C.F.R. § 1.821**

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the non-final Office Action and Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed February 28, 2003, a copy of which is enclosed, in accordance with the provisions of 37 C.F.R. §§ 1.821-1.825, Applicants submit herewith a substitute "Sequence Listing" in both paper copy and computer readable form. Applicants respectfully request entry of the substitute "Sequence Listing" submitted herein.

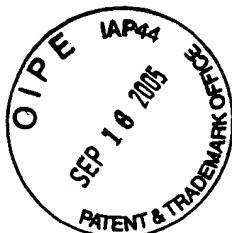
In accordance with the provisions of 37 C.F.R. §§ 1.821 and 1.825, Applicants submit herewith a substitute paper copy of "Sequence Listing," totaling one-hundred and sixty-four (164) pages. Applicants submit herewith a substitute computer readable copy of the "Sequence Listing" on a CD-ROM in ASCII format as required by 37 C.F.R. §§ 1.821(e) and 1.825(a).

In accordance with the provisions of 37 C.F.R. § 1.821(f), the undersigned hereby states that the content of the computer readable CD-ROM copy of the substitute "Sequence Listing" and the paper copy of the "Sequence Listing" submitted herewith are identical.

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In accordance with the provisions of 37 C.F.R. § 1.825(a), the undersigned hereby states that the content of the computer readable CD-ROM copy of the substitute "Sequence Listing" and the paper copy of the "Sequence Listing" submitted herewith do not constitute new matter.

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CONCLUSION

It is believed that no additional fees are required with this submission. However, in the event that additional fees are deemed necessary, or in the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,

HUNTON & WILLIAMS LLP

A handwritten signature in black ink, appearing to read "L. Posorske".

Dated: September 16, 2005

By:

Laurence H. Posorske, Ph.D.
Registration No. 34,698

Christopher J. Nichols, Ph.D.
Registration No. 55,984

HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

LHP/CJN:cdh

SEP 16 2005

Application No.: 09/769,744

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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